

# United States District Court

EASTERN DISTRICT OF WISCONSIN

ONEIDA TRIBE OF INDIANS OF WISCONSIN,

Plaintiff,

v.

VILLAGE OF HOBART, WISCONSIN,

Defendant.

**JUDGMENT IN A CIVIL CASE**

Case No. 06-C-1302

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came before the Court for consideration.

**IT IS HEREBY ORDERED AND ADJUDGED** that the Plaintiff's motion for partial summary judgment is denied, and the Defendant's motion for summary judgment is granted. The Defendant is granted declaratory relief as follows:

The land purchased by the Oneida Tribe of Indians of Wisconsin, held in fee simple, and located within the boundaries of the Village of Hobart is subject to the authority granted the Village under Wisconsin law to condemn property for public use and to charge against property the cost of improvements that specially benefit such property, notwithstanding the fact that such land also lies within the boundaries of the Oneida Reservation, until such time as the property is placed in trust by the United States Secretary of the Interior pursuant to 25 U.S.C. § 465.

**IT IS FURTHER ORDERED AND ADJUDGED** that all other claims are dismissed with prejudice, with the exception of the Tribe's claim under Wis. Stat. 66.0703(11), which is dismissed without prejudice.

Approved: s/ William C. Griesbach  
WILLIAM C. GRIESBACH  
United States District Judge

Dated: March 28, 2008.

JON W. SANFILIPPO  
Clerk of Court

s/ Mary Fisher  
(By) Deputy Clerk